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OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

To:

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 D-81679 München
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17. AUG. 2001

Patentanwälte

Date of mailing (day/month/year) 07 August 2001 (07.08.01)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 19298P WO	
International application No. PCT/EP00/00088	International filing date (day/month/year) 07 January 2000 (07.01.00)
Applicant EUROPÄISCHES LABORATORIUM FÜR MOLEKULARBIOLOGIE (EMBL) et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AU, CA, CN, JP, US

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

EP

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 740.14.35	Authorized officer Juan Cruz Telephone No. (41-22) 338.83.38
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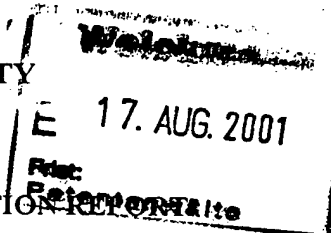
Translation

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference 19298P WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP00/00088	International filing date (day/month/year) 07 January 2000 (07.01.00)	Priority date (day/month/year) 07 January 1999 (07.01.99)
International Patent Classification (IPC) or national classification and IPC G01N 23/22		
Applicant EUROPÄISCHES LABORATORIUM FÜR MOLEKULARBIOLOGIE (EMBL)		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 02 August 2000 (02.08.00)	Date of completion of this report 27 March 2001 (27.03.2001)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP00/00088

I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

- ☐ the international application as originally filed.
- ☒ the description, pages 1-20, as originally filed,
 pages _____, filed with the demand,
 pages _____, filed with the letter of _____,
 pages _____, filed with the letter of _____.
- ☒ the claims, Nos. 5-24, as originally filed,
 Nos. _____, as amended under Article 19,
 Nos. _____, filed with the demand,
 Nos. 1-4, filed with the letter of 08 March 2001 (08.03.2001),
 Nos. _____, filed with the letter of _____.
- ☒ the drawings, sheets/fig 1/6-6/6, as originally filed,
 sheets/fig _____, filed with the demand,
 sheets/fig _____, filed with the letter of _____,
 sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 00/00088

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-24	YES
	Claims		NO
Inventive step (IS)	Claims	1-24	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-24	YES
	Claims		NO

2. Citations and explanations

1. This report refers to the following documents:

D1: Patent Abstracts of Japan, Vol. 014, No. 169 (P-1032), 30 March 1990 (1990-03-30) & JP-A-02 025 738 (Toshiba Corp), 29 January 1990 (1990-01-29)

D2: EP-A-0 223 297 (Philips Corp) 27 May 1987 (1987-05-27).

2. The invention concerns an apparatus for precision rotation of samples on a diffractometer.

3. Closest prior art: the sample rotation apparatuses of the prior art whose motors for the linear displacement units have cables. Document D1 most likely pertains to such a sample rotation apparatus for scanning the sample, although D1 does not explicitly indicate whether the sample rotation apparatus described therein also contains motors for linear displacement of the sample.4. Problem: The sample rotation apparatuses known from this prior art have the disadvantage that the above-mentioned cables hinder the free rotatability of the